

Message

From: Keigwin, Richard [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=151BAABB6A2246A3A312F12A706C0A05-RICHARD P KEIGWIN JR]
Sent: 10/30/2020 4:31:00 PM
To: ALFRED STANLEY Culpepper [stanley@uga.edu]
Subject: FW: WEEK IN REVIEW: Ag Edition

From: Dennis, Allison <Dennis.Allison@epa.gov>
Sent: Friday, October 30, 2020 11:51 AM
To: Messina, Edward <Messina.Edward@epa.gov>; Keigwin, Richard <Keigwin.Richard@epa.gov>; Goodis, Michael <Goodis.Michael@epa.gov>
Cc: Dunn, Alexandra <dunn.alexandra@epa.gov>; Siedschlag, Gregory <Siedschlag.Gregory@epa.gov>; Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>; Bolen, Derrick <bolen.derrick@epa.gov>; Mills, Madeline <Mills.Madeline@epa.gov>
Subject: FW: WEEK IN REVIEW: Ag Edition

fyi

From: EPA Press Office <press@epa.gov>
Sent: Friday, October 30, 2020 11:45 AM
To: Dennis, Allison <Dennis.Allison@epa.gov>
Subject: WEEK IN REVIEW: Ag Edition

WEEK IN REVIEW: Ag Edition

WASHINGTON (October 30, 2020) – This week, U.S. Environmental Protection Agency (EPA) Administrator Andrew Wheeler made a series of agriculture announcements including the registration of dicamba while in Brooklet, Ga. and the final pesticide application exclusion zone rule at a farm in Goldsboro, N.C. Members of President Trump's newly formed Water Subcabinet toured Wisconsin farms on today and yesterday highlighting progress on shared goals and innovative technologies being used to manage nutrients. Here's what you need to know:

Certainty for Farmers: Dicamba Registration

At the Cromley Farm on Tuesday, Administrator Wheeler announced that EPA is approving new five-year registrations for two dicamba products and extending the registration of an additional dicamba product. All three registrations include new control measures to ensure these products can be used effectively while protecting the environment, including non-target plants, animals, and other crops not tolerant to dicamba.

Through this action, EPA approved new registrations for two “over-the-top” (OTT) dicamba products—XtendiMax with VaporGrip Technology and Engenia Herbicide—and extended the registration for an additional OTT dicamba product, Tavium Plus VaporGrip Technology. These registrations are only for use on dicamba-tolerant (DT) cotton and soybeans and will expire in 2025, providing certainty to American agriculture for the upcoming growing season and beyond.

To manage off-site movement of dicamba, EPA’s 2020 registration features important control measures, including:

- Requiring an approved pH-buffering agent (also called a Volatility Reduction Agent or VRA) be tank mixed with OTT dicamba products prior to all applications to control volatility.
- Requiring a downwind buffer of 240 feet and 310 feet in areas where listed species are located.
- Prohibiting OTT application of dicamba on soybeans after June 30 and cotton after July 30.
- Simplifying the label and use directions so that growers can more easily determine when and how to properly apply dicamba.

The 2020 registration labels also provide new flexibilities for growers and states. For example, there are opportunities for growers to reduce the downwind spray buffer for soybeans through use of certain approved hooded sprayers as an alternative control method. EPA also recognizes and supports the important authority FIFRA section 24 gives the states for issuing locally appropriate regulations for pesticide use. If a state wishes to expand the federal OTT uses of dicamba to better meet special local needs, the agency will work with them to support their goals.

WHAT THEY ARE SAYING:

Senate Committee on Agriculture, Nutrition and Forestry Chairman Pat Roberts

(KS): “I appreciate the recent announcements by EPA to provide certainty to producers and others who utilize these tools. The flexibilities provided for growers by states will be especially important as producers prepare to use Dicamba for the 2021 planting and growing season.”

U.S. Senator Kevin Cramer (ND): “The Ninth Circuit vacating dicamba registrants presented a significant challenge for North Dakota’s soybean producers. This is good work by Administrator Wheeler to give our growers more certainty and flexibility over

the next few years. It's another example of President Trump's administration being a strong advocate for farm country."

U.S. Senator Cindy Hyde-Smith (MS): "Weed resistance is a constant battle for Southern producers. I applaud Administrator Andrew Wheeler for the EPA decision to approve new five-year registrations for two important dicamba products. As one of the top cotton and soybean producing states, Mississippi producers can now prepare for the 2021 crop year with more confidence and certainty."

House Agriculture Committee Ranking Member Mike Conaway (TX-11): "President Trump and his team at the EPA have delivered much-needed certainty for American agriculture. With this action, cotton and soybean farmers can now plan for the 2021 growing season knowing an important crop protection tool will be available."

U.S. Congressman Earl "Buddy" Carter (GA-01): "This is a very important announcement for our agriculture community. Halting the use of herbicides that farmers have already invested countless dollars in would lead to devastating damage for our farmers and rural communities. I applaud the EPA for providing this much needed security and clarity for the agriculture community moving forward, and I think Administrator Wheeler for coming to Georgia to tell our farmers firsthand."

U.S. Congressman Sanford D. Bishop, Jr. (GA-02) "I am very thankful Administrator Wheeler has given our farmers and producers a reprieve on dicamba use for the next five years. After the 9th Circuit Court ruling in June, farm producers faced uncertainty about using products that they have relied on for years to manage their crops, right before growing season. This year has been filled with uncertainty for our farmers and this decision will keep them from scrambling to find new herbicides as they continue to produce the highest quality, the most abundant, and the most economical food and fiber in the world."

U.S. Congressman Drew Ferguson (GA-03): "I applaud Administrator Wheeler and the Environmental Protection Agency for approving new five-year registrations and extending previous registrations on dicamba products. The reckless ruling in June by the 9th Circuit Court of Appeals to halt the use of these herbicides was a devastating blow to our rural communities. Dicamba has proven to be an efficient herbicide that farmers do not have to spray as often as other, more harmful products. These efforts will enhance the safe and effective use of dicamba products for soybean and cotton growers. By providing new flexibility for growers, this announcement ensures certainty for our Georgia farming communities in future growing seasons."

U.S. Congressman Austin Scott (GA-08): "Our farmers make fiber, food, and fuel for the world, and without close partnerships with agencies like the EPA and certainties to plan operations, they would be unable to do so. I'm very glad to see this MOU between EPA and the Georgia Department of Agriculture, and the announcement to allow new registrations of dicamba products for cotton and soybeans - two important crops in rural Georgia. This will balance environmental concerns while giving our farmers impacted by

the effects of COVID-19 more certainty as they plan their operations. This move will better help farmers recover from market losses and collapses associated with the pandemic, and I look forward to seeing the positive impacts of this change for the industry and our rural communities who support agriculture.”

U.S. Congressman Barry Loudermilk (GA-11): “I have always felt there were better ways the EPA could address environmental concerns without hurting our farmers in the process. I applaud EPA Administrator Andrew Wheeler and the Trump Administration for working together with our farmers to enhance safety measures around herbicides without implementing policies that get in the way of their work to feed America.”

U.S. Congressman Rick Allen (GA-12): “President Trump and his Administration understand the importance of our agriculture industry, and when American farmers speak, they listen. Today’s announcement will provide access to important dicamba products that will allow our farmers to continue to be the most productive in the world and provide them with much needed flexibility.”

U.S. Congressman Michael Guest (MS-03): “The announcement of new dicamba registrations brings clarity and confidence to Mississippi soybean and cotton producers as they make their purchasing decisions for the 2021 crop year. I’m grateful to have had the opportunity to lead the letter in support of these registrations, and I appreciate my House colleagues who joined us in our mission to support our agriculture community. I’d like to thank Administrator Wheeler and the EPA for their efforts to preserve this important herbicide for our hard-working farmers.”

U.S. Congressman James Comer (KY-01): “I am pleased to see EPA move forward on five-year registrations for Dicamba use. This is a vital tool for farmers to continue producing at the capacity only our farmers can, and will give them much-needed certainty as they make business plans for the next growing season. I applaud the Trump Administration for their efforts to increase collaboration between the agriculture and environmental sectors, as farmers are tremendous stewards of our land and natural resources.”

U.S. Congressman Jim Baird (IN-04): “The recent EPA announcement on dicamba is good news for Hoosier farmers. This allows our agricultural community to plan and prepare with certainty for next year’s growing season. I am glad local regulators, researchers and growers provided input that resulted in a common sense solution, which will benefit farmers and ensure our environment is protected.”

Nebraska Governor Pete Ricketts: “I welcome the recent decision by the EPA to approve registration for the ‘over-the-top’ dicamba products. The agency’s transparent process provides certainty to Nebraska farmers and ranchers in a year where things have been anything but normal. Our producers now have the necessary information to make confident decisions when it comes to spring planting in 2021 and for the next few years to come.”

Kentucky Agriculture Commissioner Dr. Ryan Quarles: “Just last week, the Kentucky Department of Agriculture and agricultural producers participated in a roundtable with representatives from the EPA and urged the agency to quickly issue clear guidance governing the use of dicamba-based crop technology. I am glad to see Administrator Wheeler provide new guidelines for its use, especially as our soybean producers are making decisions for the 2021 growing season.”

Nebraska Department of Agriculture Director Steve Wellman: “The EPA’s recent dicamba decision is welcome news for Nebraska farmers and ranchers and the state of Nebraska - providing certainty for the industry when it’s needed most. This outcome, based on science and stakeholder input, will allow Nebraskans the appropriate time needed to make informed decisions prior to the 2021 planting season. The Nebraska Department of Agriculture will continue to work in partnership with the EPA to properly enforce this decision and respond to requests to adopt the new label and register products in Nebraska.”

American Farm Bureau Federation President Zippy Duvall: “We’re pleased the EPA has approved a new registration for dicamba that will allow farmers to plan for the next few years, removing a cloud of recent uncertainty. The registration demonstrates EPA’s continued commitment to using sound science to support its registration decisions and ensures farmers have access to a much-needed tool for weed management. Dicamba is one of many technologies farmers rely on as part of a sustainability strategy to protect crops while also reducing water use, retaining nutrients in the soil, and lowering emissions.”

National Cotton Council Chairman Kent Fountain: “The economic damage that would result from not being able to use dicamba herbicides would be tremendous. We greatly appreciate EPA’s timely issuance of a new five-year label for this critical crop protection product for cotton producers.”

National Association of State Departments of Agriculture (NASDA) CEO Dr. Barb Glenn: “State department of agriculture leaders respect the decision made by EPA, as NASDA members depend on EPA’s high-quality science-based risk assessment to steward healthy farms and healthy communities. The timely decision provides farmers with information to make purchasing choices for next spring, a valuable measure of certainty during this unprecedented year. To effectively prepare for the 2021 growing season, NASDA members will engage with farmers to acutely understand the decision’s impacts and work closely with EPA to co-regulate pesticide use.”

Agriculture Retailers Association President and CEO Daren Coppock: “Ag retailers and their farmer customers have already been working to make decisions for the 2021 growing season while waiting for clarity on if dicamba would be available for use. Now farmers and their retailers can make firmer plans for the next five years with this critical question answered. In addition to providing certainty and clarity, we continue to

applaud EPA's work to ensure that all decisions are made through a rigorous scientific approval process.”

Nebraska Farm Bureau Federation President Steve Nelson: “Today’s announcement that EPA will move forward to issue a five-year re-register of dicamba-based products is welcomed news. The decision will ensure these products are available for use by farmers during the 2021 growing season and beyond. Nebraska Farm Bureau has been a strong advocate for re-registration of dicamba products to ensure farmers continue to have crop protection product options. We want to thank EPA Administrator Andrew Wheeler for making this decision in a timely fashion as many farmers are in the process of making decisions about herbicide purchases for the upcoming year. We look forward to EPA’s release of complete details.”

Agribusiness Association of Kentucky Executive Director Tod Griffin: “The Agribusiness Association of Kentucky would like to thank the U.S. Environmental Protection Agency and Administrator Wheeler for providing this clear guidance so that farm supply stores, retailers, and producers are able to plan for next year’s growing season.”

University of Georgia Extension Weed scientist Stanley Culpepper: “We can’t do anything but thank the EPA because they worked so tirelessly to get this done as early as they did to help growers have the ability to make good decisions on seed purchases and on technology purchases for next year. Their respect for our science as well as science from other members of the Weed Science Society was evident as we were able to share our information with them. They treated us with the utmost respect.”

Georgia Cotton Commission Executive Director Taylor Sills: “Access to Dicamba is a huge issue for our growers, not just in Georgia, but growers across the cotton belt. The industry itself has made significant investments in these technologies and continued access to them is a critical tool as we go around proving our sustainability. Tools such as dicamba are very important to proving that for us. It was very special to have Administrator Wheeler in Georgia for this announcement. It just goes to prove that the cotton growers of Georgia have been excellent stewards of this technology. Frankly, our growers are the gold standard. What Georgia has done as it relates to dicamba should be an example for the rest of the nation.”

Commonsense Regulation: Application Exclusion Zone Improvements

Yesterday, at Overman Farms in Goldsboro, N.C., Administrator Wheeler announced the finalization of improvements to requirements for the pesticide application exclusion zone (AEZ) – the area surrounding pesticide application equipment that exists only during outdoor production pesticide applications. EPA’s targeted changes improve the enforceability and workability of the AEZ requirements, decrease regulatory burdens for farmers, and maintain critical worker protections. These targeted changes include:

- AEZ requirements only apply within the boundaries of the agricultural establishment, removing off-farm responsibilities that were difficult for state regulators to enforce.
- Immediate family members of farm owners are now exempted from all aspects of the AEZ requirements. Farm owners and their immediate family are now able to shelter in place inside closed buildings, giving farm owners and immediate family members flexibility to decide whether to stay on-site during pesticide applications, rather than compelling them to leave even when they feel safe remaining.
- New clarifying language has been added so that pesticide applications that are suspended due to individuals entering an AEZ may be resumed after those individuals have left the AEZ.
- Simplified the existing criteria to help inform decision-making on whether pesticide applications are subject to the 25- or 100-foot AEZ.

No changes were made to the “Do Not Contact” provision that prohibits a handler/applicator and the handler’s employer from applying a pesticide in such a way that it contacts workers or other persons directly or through drift.

WHAT THEY ARE SAYING:

U.S. Senator Roger Wicker (MS): “I commend President Trump and the EPA for their work to support America’s agricultural producers. This new update to the AEZ requirements provides clarity to farmers and regulators, helping to improve compliance and enhance safety for workers.”

American Farm Bureau Federation President Zippy Duvall: “Farmers are committed to the safe use of pesticides while protecting the welfare of farmworkers. The American Farm Bureau welcomes the EPA’S sensible changes to the application exclusion zone requirements. The common sense revisions reflect the need to provide safeguards while ensuring the rules are understandable and have practical use on the farm.”

North Carolina Farm Bureau President Shawn Harding: “Farmers must have clear, effective and enforceable pesticide rules to work responsibly and efficiently, and North Carolina Farm Bureau commends the Administration and EPA for updating the pesticide Application Exclusion Zone requirements to reflect that. We appreciate EPA’s continued vigilance over the safe use of pesticides critical to agriculture, while giving farmers the flexibility and trust to grow food, fiber and fuel without excessive burden. Once again, the Administration and EPA Administrator Andrew Wheeler have demonstrated their commitment to sensible, science-based regulatory reform that provides practical and workable guidance to farmers feeding our nation and the world.”

NASDA CEO Dr. Barb Glenn: “NASDA members have emphasized the importance of including clear directives, flexibility for farm operators and high safety standards for farm workers in a final Application Exclusion Zone rule since the proposed language was published in 2019. We’re pleased to see EPA adopted these priorities when crafting the

final rule. In a time when certainty is valued more than ever, we're thankful for the clarity the rule creates for farmers. NASDA will continue to work closely with EPA as co-regulators on pesticide application to meet the responsibility of protecting the safety of our nation's agricultural workforce and economic viability of our farms."

Enhanced Collaboration with Agriculture Partners

On Tuesday, EPA Region 5 signed an MOU with the Illinois Farm Bureau at a farm outside of Decatur, Illinois. The latest in a series of MOUs signed with the intent to increase collaboration and communications with agriculture stakeholders. The MOUs focus on coordinating education and outreach efforts, while recognizing environmental stewardship activities.

MOUs Signed:

- EPA and Alabama Department of Agriculture
- EPA and Delaware Department of Agriculture
- EPA and Georgia Department of Agriculture
- EPA and Illinois Farm Bureau
- EPA and Kentucky Department of Agriculture
- EPA and Maryland Department of Agriculture
- EPA and Mississippi Department of Agriculture
- EPA and National FFA Organization
- EPA and North Carolina Department of Agriculture
- EPA and Pennsylvania Department of Agriculture* (LOU)
- EPA and South Carolina Department of Agriculture
- EPA and West Virginia Department of Agriculture

EPA recognizes farmers and ranchers as natural allies in EPA's mission to protect human health and the environment. These MOUs are meant to continue building partnerships with the agriculture community, while promoting sustainability and reaching for environmental successes in mutually beneficial and critical areas.

WHAT THEY ARE SAYING:

U.S. Congressman Rodney Davis (IL-13): "I'm proud of the collaborative efforts formalized by the EPA and Illinois Farm Bureau signing a Memorandum of Understanding (MOU) this week in my district. I've supported conservation programs in Congress because they are vital to maintaining the high level of productivity of American farmland while also protecting the environment. The type of cooperation signified by the new MOU is what led to EPA's Dicamba registration decision that gives soybean farmers across the Midwest the certainty they need to do business, while also putting new safeguards in place to protect the environment."

North Carolina Commissioner of Agriculture Steve Troxler: “Solid relationships and open communication with our federal partners are important and I am excited to sign a MOU with EPA Region 4 cementing our continued collaboration.”

Pennsylvania Agriculture Secretary Russell Reddin: “These past few months have made it crystal clear to the public that having food on their tables depends on having farms that are functioning at the top of their game and ready for whatever nature throws at them. The Landis family farm models soil and water conservation practices that ensure a healthy farm that will keep producing food now and in the future. We’re pleased to cement this agreement on just such a farm in Lancaster County, where what happens on the farm affects healthy food, healthy water and healthy communities for our whole Mid-Atlantic region.”

Tennessee Department of Agriculture Commissioner Charlie Hatcher, D.V.M.: “We are proud to join with EPA in recognizing our shared commitment to supporting well-managed, sustainable farms and forests, to protecting soil and water resources and human health. This agreement will further enhance our efforts to provide the right tools and resources producers need to ensure their productivity and viability for years to come. We especially appreciate our partnership with EPA Region 4 and have enjoyed higher level of cooperation and communication than ever before.”

South Carolina Commissioner of Agriculture Hugh Weathers: “This historic agreement between EPA and the South Carolina Department of Agriculture is an acknowledgment of what farmers have known for a long time: When it comes to protecting the environment, agriculture is part of the solution. We’re thrilled to have a positive foundation for future collaboration with EPA.”

Mississippi Department of Agriculture and Commerce Commissioner of Agriculture and Commerce Andy Gipson: “I appreciate the Trump Administration’s efforts to repeal burdensome regulations that have hampered agriculture and commerce in the past. I look forward to further strengthening the relationship of the Mississippi Department of Agriculture and Commerce and the U.S. Environmental Protection Agency through the signing of this MOU, as we work together to promote sustainable farms that provide food and fiber for our communities in a clean environment for everyone to enjoy.”

Commissioner Ryan Quarles of the Kentucky Department of Agriculture: “The Kentucky Department of Agriculture is honored to enter into this new memorandum of understanding with the U.S. EPA. This is just another example of the great partnerships President Trump and Administrator Wheeler have built with state leaders out of a clear commitment to cooperative federalism.”

Maryland Agriculture Secretary Joseph Bartenfelder: “Maryland farmers are known across the nation as leaders in conservation practices like cover crops and no-till. Living in such close proximity to the Chesapeake Bay and its tributaries, protecting the environment and improving water quality is top-of-mind for Maryland farmers. This

agreement between MDA and the EPA strengthens the commitment our agriculture industry has to environmental stewardship.”

National FFA President Luke O’Leary: “This agreement between FFA and EPA recognizes how FFA members are ready to be leaders in environmental fields. Whether it’s studying pH levels in soil or running experiments to reduce water runoff, we’re active stewards in preserving and enhancing the resources needed to grow our food.”

Members of the Water Subcabinet tour Wisconsin Farms, Highlight Progress on Shared Goals

On Thursday and Friday, EPA Region 5 Administrator Kurt Thiede joined co-chairs of the newly formed Water Subcabinet—U.S. Department of the Interior Assistant Secretary of Water and Science Dr. Tim Petty and EPA Assistant Administrator for Water David Ross—to visit farms in Wisconsin. The farm visits highlighted innovative technologies being used to manage agricultural nutrients and produce domestic and renewable natural gas.

The Trump Administration has fostered unprecedented collaboration with farmers to help achieve shared goals, including protecting water quality and supporting the farm economy in rural communities. For example, EPA is working with farmers on community-driven and market-based strategies to reduce excess nutrients that can be lost from farmland and can impact water quality. These approaches can promote conservation practices while creating an opportunity for farmers to earn a financial return, as well as a water quality return, on their investments. Working together, the Water Subcabinet and EPA are supporting farmers while promoting land and water stewardship that protects our nation’s environment and conserves our vital resources.

“The Trump Administration knows America’s farmers, ranchers, and dairymen and women are the original stewards of our water and soil,” **said U.S. Department of the Interior Assistant Secretary of Water and Science Dr. Tim Petty.** “Building Interior’s relationship with these incredible leaders in applied research and technology is critical to supporting their success and sustainably feeding a growing world.”

“Our nation’s farmers feed the world and drive our economy,” **said EPA Assistant Administrator for Water David Ross.** “Engaging with farmers on their land and in their community gives EPA a better vantage point for developing strategies that can support a farmer’s business while improving water quality.”

“Over the past year I have emphasized getting out to farms and sitting down with farmers in machine shops across the Great Lakes region to hear their challenges, perspectives and innovative solutions, just like we are doing again today in Janesville, Wisconsin,” **said EPA Region 5 Administrator Kurt Thiede.** “Earlier this week, we took another important step in building our collaborative partnership with agriculture in our region by signing a memorandum of understanding with the Illinois Farm Bureau. This

MOU documents our commitment to work together for better outcomes, communication and collaboration.”

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⁹ The United States moved its flagpole to the far right side of the ceremony grounds, so that the flag flew from the left side of the podium.

Administrator Wheeler, Regional Administrator Walker, and Congressman John Rutherford visit the Diamond D. Ranch in Jacksonville, Fla.

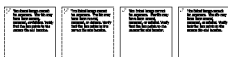
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Administrator Wheeler visits the Don and Shaun Fiedler's Farm with Representative Pete Stauber (MN-08), the Minnesota Farm Bureau, and Future Farmers of America students.

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EPA Office of Chemical Safety and Pollution Prevention Assistant Administrator Alex Dunn and family owner Lee Cromley tour cotton fields in Brooklet, Ga.

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